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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION

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UNITED STATES OF AMERICA,	:	<b><u>COMPLAINT</u></b>
	:	
Plaintiff,	:	VIOLATION:
	:	18 U.S.C. § 922(g)(1), Felon in
vs.	:	Possession of Firearms.
	:	<i>2:10-MJ-234 DON</i>
CODY ALAN REECE,	:	
	:	Magistrate David O. Nuffer
Defendant.	:	

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Before the Honorable David O. Nuffer, United States Magistrate Judge for the  
District of Utah, appeared the undersigned, who on oath deposes and says:

**COUNT 1**  
18 U.S.C. § 922(g)(1)  
(Felon in Possession of a Firearms)

On or about August 18, 2010, in the Central Division of the District of Utah,

CODY ALAN REECE,

defendant herein, having been convicted of a crime punishable by imprisonment  
exceeding one year, did knowingly possess in and affecting interstate commerce,

firearms, to wit: a Beretta .380 handgun and a Hi Point .40 handgun, all in violation of 18 U.S.C. § 922(g)(1).

**AFFIDAVIT IN SUPPORT OF COMPLAINT AND ARREST WARRANT**

Your affiant, Bryan Corbitt, being duly sworn, hereby declares and states:

1. I, Bryan Corbitt, am a Criminal Investigator Deputy United States Marshal for the United States Marshals Service ("USMS"). I have been employed by the USMS for over four years. I am currently assigned as a Criminal Investigator in the Salt Lake City Office for the District of Utah. I am also a member of the USMS fugitive task force, the Joint Criminal Apprehension Team ("JCAT"). My responsibilities include investigating and arresting individuals who have committed offenses against the United States. I am a graduate of the Police Training Institute in the State of Illinois, the United States Marshals Service Academy, and the Federal Law Enforcement Training Center for Criminal Investigators.

2. On August 18, 2010, members of JCAT observed Cody Alan Reece as he entered the rear passenger side of a tan Chevrolet Prism.. The Utah State warrant system indicated that Reece had outstanding warrants for his arrest for the offenses of Possession with Intent to Distribute a Controlled Substance. The warrants were issued by the Third District Court for the State of Utah.

3. JCAT members stopped a vehicle in which Reece was traveling in the 400 block

of East Locust Street in Sandy, Utah. Upon doing so, Reece exited the rear door of the vehicle and fled the area on foot. Members of both JCAT and Sandy City Police Department pursued Reece on foot. I, as well as several other officers shouted, "Police! Stop!" as Reece fled over an opaque fence. Additionally, I heard Detective Shane Harding of the Sandy City Police Department yell, "drop the weapon!"

4. As I cleared the fence with JCAT member Brian Griffiths, I observed Reece on the ground. He was rolling from his stomach to his back to face us. I observed Reece reaching for his right front pants pocket. Moments later, Reece put both hands above his head. He rolled to his stomach but resisted when I tried to place handcuffs on him. I gave commands for him to stop resisting, but Reece managed to free his left hand. Reece was kicking his legs and appeared to be attempting to free himself. Deputy United States Marshal Rick Simonelli and Detective Harding arrived on scene and assisted in restraining Reece as I placed the handcuffs on him. Detective Harding was forced to deploy his taser in an effort to get Reece to comply with commands.

5. JCAT member Brian Griffiths conducted a search of Reece incident to his arrest. I observed Griffiths remove a black Beretta .380 semi-automatic pistol from Reece's right front pants pocket. The gun was found to be loaded and the hammer was cocked back. Officers also found a second handgun, a Hi Point .40 caliber, sitting on the seat of the car where Reece had been sitting just prior to fleeing.

6. Detective Chris Thomas with the Sandy City Police Department transported

Reece to the police station. Detective Thomas read Reece his Miranda rights, which Reece waived, and proceeded to interview Reece. During the course of the interview, Reece admitted to possessing both firearms that were recovered at the scene of his arrest. Detective Thomas asked Reece why he possessed the firearms when he knew he was a restricted person and not allowed to have them. Reece replied it was because he was stupid.

7. Special Agent R. Kent Owens with the Bureau of Alcohol, Tobacco, Firearms and Explosives verified that both firearms were manufactured outside the state of Utah.

8. Cody Alan Reece is a convicted felon. He has multiple convictions for weapons and drug-related offenses. His most recent felony conviction came on February 15, 2007 in the Third District Court, State of Utah when he was convicted of Possession With Intent to Distribute a Controlled Substance, a Second Degree Felony.


9. Based on the foregoing information, your affiant believes probable cause exists that Cody Reece has committed a violation of Title 18 United States Code Section 922(g)(1), Felon in Possession of Firearms and respectfully requests that a warrant of arrest be issued.

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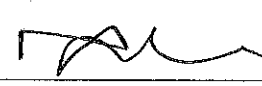
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10. I swear that this information is true and correct to the best of my knowledge,  
information, and belief.

DATED this 17<sup>th</sup> day of August, 2010.

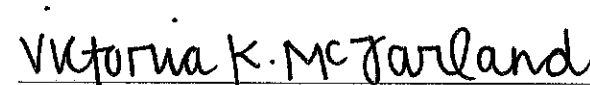
  
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BRYAN CORBITT  
Deputy United States Marshal  
United States Marshals Service

SUBSCRIBED and SWORN before me this 19 day of August, 2010.

  
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DAVID O. NUFFER  
Magistrate Judge  
District of Utah

APPROVED AS TO FORM:

CARLIE CHRISTENSEN  
United States Attorney

  
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VICTORIA K. McFARLAND  
Special Assistant United States Attorney